

Customer No. 35743

Docket No.: 57637/1220



AF
1623
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants Bruno Macchia, et al. Confirmation No. 8279

Serial No. 10/031,692

Filed January 22, 2002

For **CERAMIDE ANALOGS, PROCESS FOR THEIR PREPARATION
AND THEIR USE AS ANTITUMOR AGENTS**

Group Art Unit 1623

Examiner Lewis, Patrick T.

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 18, 2004.

Signature: _____

Carrie L. Caggiano

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Final Office Action mailed in the above-references application on November 18, 2003, rejecting Claims 1 and 4-7 and objecting to claims 2 and 3.

Under provision 37 C.F.R. § 1.17(b), a check in the amount of \$330.00 is enclosed to cover the required fee. A Petition for a Three-Month Extension of Time is being filed

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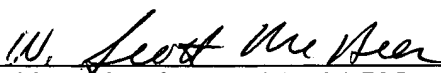
concurrently herewith to extend the time for filing this Notice to May 18, 2004. Therefore, this Notice is being timely filed. The Director is hereby authorized to charge any fee deficiency or credit any overpayment to Deposit Account No. 50-0540.

Remarks

In various telephone conferences with the Examiner, Applicants have been informed that an Examiner's amendment will be made which will put the application in condition for allowance, and that a Notice of Allowability is forthcoming. Applicants are submitting this Notice of Appeal in order to maintain pendency of the application until the Notice of Allowance is mailed.

Dated: May 18, 2004

Respectfully submitted,



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